



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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**PLANNING COMMISSION**

**TUESDAY, DECEMBER 14, 2004**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**COMMISSIONERS**

CHAIR CHARLES D. WESTON  
VICE-CHAIR RALPH LYLE  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER ROBERT ENGLES  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER JOSEPH H. MUELLER

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** November 30, 2004

**NEW BUSINESS:**

1. **ZONING AMENDMENT, ZA-04-10/GENERAL PLAN AMENDMENT, GPA-04-04: MONTEREY-MORGAN HILL MEDICAL:** A request to amend the general plan land use designation and zoning designation on a 2.9 acre parcel located on the west side of Monterey Rd., 350 ft. north of Cosmo Ave. The current land use designation is non-retail commercial with a CO, Commercial Office zoning designation. The request is to change the General Plan land use designation to Commercial and the zoning designation to General Commercial, CG. (APN 767-17-046)

**Recommendation:** 1) Approve Mitigated Negative Declaration; 2) Adopt Resolution No. 04-100A recommending denial of the general plan amendment); 3) Adopt Resolution No. 04-101A, recommending denial of the zoning amendment.

2. **GENERAL PLAN AMENDMENT, GPA-04-07/ZONING AMENDMENT, ZA-04-14: CITY OF MORGAN HILL-DOWNTOWN PLAN:** A request to recommend City Council adoption of the updated Morgan Hill Downtown Plan, Environmental Assessment for the Downtown Plan, General Plan Text and Land Use Map amendments and Zoning Text and Map amendments required to implement the proposed Morgan Hill Downtown Plan. A change in the general plan land use designation is proposed on APN(s):726-04-001, 003,006,007, 008, 011 & 012 to change from Commercial to Mixed Use. A change in the general plan designation and zoning is proposed on APN(s): 726-15-001, 003 & 073 to change from Industrial with ML zoning to Multi-Family High with R-4 zoning. A change in the general plan and zoning designation is proposed on APN(s):726-23-001 thru 015 to change from Commercial with CG zoning to Mixed Use with CC-R zoning. A Planned Unit Development zoning designation is also proposed to be applied to APN(s): 726-13-032-034 & 726-13-041-044 and 726-14-025, 026 &031.

**Recommendation:** 1) Approve Mitigated Negative Declaration; 2) Adopt Resolution Nos. 04-106 (general plan text amendment); 04-107 (general plan land use map); 04-108 (zoning text amendment/R-4 district); 04-109 (zoning map); 04-110 (zoning map/Sunsweet property PUD); and 04-111 (zoning text amendment/parking standards), with recommendation to forward requests to the City Council for approval.

## PLANNING COMMISSION AGENDA

DECEMBER 14, 2004

PAGE 3

3. **GENERAL PLAN AMENDMENT, GPA-04-08/ZONING AMENDMENT, ZA-04-20: TENNANT-HUANG:** A proposal to amend the General Plan from Industrial to Non-Retail Commercial and amend the zoning from light industrial to administrative office in order to construct a medical/dental office building on 1.45 acre vacant parcel (APN 817-29-027) located at the northwest corner of Tennant Avenue and Caputo Drive. In addition, a proposal to amend the General Plan from Industrial to Non-Retail Commercial and amend the zoning from light industrial to administrative office for a 1.22 acre parcel with an existing 20,049 sq. ft. building located at the northeast corner of Tennant Avenue and Caputo Drive. APNs 764-12-008, -009, -018, & -019)

**Recommendation:** Approve Mitigated Negative Declaration; Adopt Resolution Nos. 04-102 (general plan amendment), and 04-103 (zoning amendment), with recommendation to forward requests to the City Council for approval.

4. **SUBDIVISION, SD-04-14/DEVELOPMENT AGREEMENT, DA-04-06: COCHRANE-BORELLO II:** A request for approval a tentative subdivision map and a development agreement for 15 single-family homes on a 13.73 acre parcel located at Cochrane Road and St. Mark's Road in the R1-20,000 zoning district. (APN 728-34-007)

**Recommendation:** Adopt Resolution Nos. 04-104 (subdivision), and 04-105 (development agreement), with recommendation to forward requests to the City Council for approval.

### **OTHER BUSINESS:**

5. **ZONING AMENDMENT, ZAA-04-01: TILTON-GLENROCK:** Review of applicant requested changes to the precise development plan for the Capriano Subdivision on the south side of Tilton Avenue. Staff and the applicant are requesting direction from the Planning Commission on whether proposed changes to the RPD are consistent with prior conditions of approval.

**Recommendation:** Commission discretion.

6. **DOWNTOWN AREA BUILDING ALLOTMENT:** A request to supplement the Residential Development Control System building allotment for the Downtown Area. Also requested is a recommendation whether to extend the competition for the Downtown Allotment into a second and third year, and whether to advance the filing deadline for the competition.

**Recommendation:** Provide a recommendation on the number, term and filing deadline for the next Downtown Area RDSCS competition.

### **TENTATIVE UPCOMING AGENDA ITEMS FOR THE JANUARY 11, 2005:**

- **MMC-04-05: Del Monte-Giavonni**
- **MMC-04-06: San Pedro-Ahmadi**
- **MMC-04-07: Ginger-Custom One**
- **MMC-04-09: Taylor-Murray**
- **MMC-04-10: E. Dunne-Kruse**

## PLANNING COMMISSION AGENDA

DECEMBER 14, 2004

PAGE 4

- MC-04-15: Church-Alcini
- MC-04-16: E. First-Sherman House Associates
- MC-04-17: San Pedro-Alcini
- MC-04-20: Depot-The Granary
- MC-04-27: Wright- Dividend Homes
- MC-04-04: Diana-Chan (Discussion Only)
- MC-04-08: Central-Delco (Discussion Only)
- MC-04-11: San Pedro-Delco (Discussion Only)
- MC-04-12: E. Dunne-Dempsey (Discussion Only)
- MC-04-13: Barrett-Odishoo (Discussion Only)
- MC-04-14: Central-Hu (Discussion Only)
- MC-04-18: Monterey-Viola (Discussion Only)
- MC-04-19: E. Main-Thrust (Discussion Only)
- MC-04-21: Barrett-Syncon Homes (Discussion Only)
- MC-04-22: Jarvis-South Valley Developers (Discussion Only)
- MC-04-23: Tennant-Gera (Discussion Only)
- MC-04-24: Cochrane-Borello III (Discussion Only)
- MC-04-25: Cochrane-Lupine (Discussion Only)
- MC-04-26: Cochrane-Mission Ranch (Discussion Only)

### ANNOUNCEMENTS:

### CITY COUNCIL REPORTS

### ADJOURNMENT

#### **SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

#### **NOTICE**

#### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

**PLANNING COMMISSION AGENDA**

**DECEMBER 14, 2004**

**PAGE 5**

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*